

**Superior Court of Washington  
County of**

In re:

and

Petitioner,

Respondent.

**No.**

**Motion/Declaration for  
Default  
(Child Support Modification)  
(MTDFL)**

**I. Motion**

\_\_\_\_\_[Name] moves the court for an order of default against  
\_\_\_\_\_[Name]. Venue of this action is proper as set forth in the  
declaration below.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Moving Party or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name

**II. Declaration**

**2.1 Proper Venue**

Venue is proper in this court.

☐ The most recent support order was entered in this county.

The petitioner resides in \_\_\_\_\_ [County and State].

The child(ren) reside(s) in \_\_\_\_\_ [County and State].

Respondent resides in \_\_\_\_\_ [County and State].

☐ Other:

## **2.2 Jurisdiction Over Parties.**

This court has jurisdiction over the parties because:

- ☐ There is a Washington Order of Child Support.
- ☐ Both parties presently reside in the state of Washington.
- ☐ Other:

## **2.3 Service of Process**

The affidavit of service on file with the court shows that the nonmoving party was served with summons, petition and child support worksheet.

## **2.4 Time Elapsed Since Service of Process**

- ☐ The nonmoving party was served within the state of Washington and more than 20 days have elapsed since the date of service.
- ☐ The nonmoving party was served outside the state of Washington and more than 60 days have elapsed since the date of service.
- ☐ The nonmoving party was served by mail in lieu of publication and more than 90 days have elapsed since the date of mailing.
- ☐ The nonmoving party was served by publication and more than 60 days have passed since the date of first publication.
- ☐ Other:

## **2.5 Appearance of the Parties**

The nonmoving party has failed to appear, or if appeared, has failed to otherwise defend this action.

## **2.6 Servicemembers Civil Relief Act Statement**

2.6.1 ☐ The nonmoving party is not a service member or a dependent of a service member.

2.6.2 The nonmoving party – service member:

- ☐ is on active duty in the U.S. armed forces (excluding National Guard and reserves);
  - ☐ is on active duty and is a National Guard member or a Reservist residing in Washington;
  - ☐ is not on active duty in the U.S. armed forces (excluding National Guard and reserves);
  - ☐ is not on active duty and is a National Guard member or a Reservist residing in Washington;
  - ☐ I am unable to determine whether the nonmoving party is or is not on active duty as a National Guard member or a Reservist residing in Washington;
  - ☐ I am unable to determine whether the nonmoving party is or is not on active duty in the U.S. armed forces;
- based upon the following facts:

☐ As indicated above, the nonmoving party is on active duty and (check all that apply):

- ☐ The nonmoving party is represented by an attorney.
- ☐ The court has appointed an attorney to represent the nonmoving party.
- ☐ A stay of these proceedings ☐ has ☐ has not been entered by the court.

2.6.3 The nonmoving party – dependent of service member:

- ☐ is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;
- ☐ is not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;
- ☐ I am unable to determine whether the nonmoving party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;

based upon the following facts:

- ☐ The nonmoving party failed to respond to a notice to him or her as a dependent of a person in Military Service that was ☐ served on ☐ mailed by first class mail on \_\_\_\_\_ [Date], therefore he or she should be presumed not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist.

☐ As indicated above, the nonmoving party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist and (check all that apply):

- ☐ The nonmoving party is represented by an attorney.
- ☐ The court has appointed an attorney to represent the nonmoving party.
- ☐ A stay of these proceedings ☐ has ☐ has not been entered by the court.

## 2.7 Mailing of Documents

- ☐ Does not apply because the nonmoving party has failed to appear or otherwise defend.
- ☐ Copies of the following documents were mailed on \_\_\_\_\_ [Date] to:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at \_\_\_\_\_, [City] \_\_\_\_\_ [State] on \_\_\_\_\_ [Date].

\_\_\_\_\_  
Signature of Moving Party

\_\_\_\_\_  
Print or Type Name